Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 March 2014
English
Original: Arabic

Third session
New York, 28 April-9 May 2014

Nuclear disarmament

Working paper submitted by Iraq on behalf of the States members of the League of Arab States

1. The Arab States believe that, instead of bringing about regional and international peace and security, the possession, acquisition and development of nuclear weapons will increase instability. They affirm that the complete elimination of nuclear weapons is the only way to avoid the dangers such weapons pose and ensure that they are not used again.

2. The Arab States affirm that the credibility of the Treaty depends on the balanced functioning of its three pillars of disarmament, non-proliferation and the peaceful uses of nuclear energy, and on working to implement those pillars with an equal focus, while striving at the same time to achieve the universality of the Treaty.

3. Although many States have made efforts to achieve nuclear disarmament and ensure that nuclear-weapon States fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon States continue to give nuclear weapons a prominent place in their defence strategies and they confer upon themselves the right to use such weapons against non-nuclear-weapon States. This is contrary to the unilateral declarations that the nuclear-weapon States made in April 1995 regarding positive and negative assurances to the non-nuclear-weapons States parties to the Non-Proliferation Treaty, as well as Security Council resolutions 255 (1968) and 984 (1995).

4. The Arab States are concerned at the continued stagnation of the United Nations disarmament mechanisms, in particular the Conference on Disarmament, which is the sole international forum for multilateral negotiations on disarmament, and call for practical steps to be taken to revitalize those mechanisms.

5. The Arab States affirm that the aims and objectives of the Treaty can be realized only once accession thereto is universal, with all States not parties to the Treaty acceding as non-nuclear-weapon States. The delay in achieving that objective remains a stumbling block to the strengthening of the nuclear non-proliferation regime.

14-27350 (E) 020414 070414

Please recycle

6. The Arab States recall the advisory opinion issued by the International Court of Justice on 8 July 1996 concerning the legality of the threat of use of nuclear weapons in which the Court found that there exists an obligation to pursue in good faith, and bring to a conclusion, negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

7. The Arab States reiterate that, as affirmed at the 2010 Review Conference, the 1995 resolution on the Middle East, which was adopted by consensus and is basis for the indefinite extension of the Treaty, shall remain valid until its goals are achieved.

8. The Arab States recall that the Final Document of the 2010 Review Conference provides for the full, effective and urgent implementation of article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament".

9. The Arab States welcome the efforts made towards the voluntary reduction of the number of nuclear warheads. At the same time, they emphasize that a reduction in the number of nuclear warheads should not be confused with nuclear disarmament efforts; a reduction does not necessarily entail progress towards nuclear disarmament.

10. The Arab States are concerned that certain nuclear States are endeavouring to modernize their nuclear arsenal and develop new nuclear weapons, thereby endangering international peace and security. The letter and the spirit of the Treaty must be respected until such weapons are comprehensively and definitively eliminated. In that regard, the Arab States draw attention to the relevant General Assembly resolutions.

11. The Arab States affirm what was set out in resolutions 23/40-POL, on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons; 24/40-POL, on evolving a new global consensus on disarmament and non-proliferation; 28/40-POL, on the establishment of a nuclear-weapon-free zone in the Middle East; 29/40-POL, on condemnation of the Zionist regime for possession of nuclear capability to develop nuclear arsenals; and 30/40-POL, on total elimination of nuclear weapons, adopted by the Council of the Ministers for Foreign Affairs of the Organization of Islamic Cooperation at its 40th session held in Conakry, Republic of Guinea, from 9 to 11 December 2013.

12. The Arab States stress that the international conference that was to be convened in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, in accordance with the practical steps concerning the Middle East set forth in the Final Document of the 2010 Review Conference, would constitute an important step towards realizing regional and international security, contributing to the prevention of nuclear war and bolstering the non-proliferation regime.

13. The Arab States affirm the importance of convening the postponed conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction at the earliest possible opportunity, which must be in 2014. Responsibility for the convening of the conference lies with the whole international community, and if it is not held in due course, that must be considered as a violation of the review process and the related obligations. In that context, there is a direct link between the convening of the conference in 2014 and its realization

of perceptible success through the initiation of a negotiation process within a specific time frame to achieve that zone free of weapons of mass destruction, and the success of the 2015 Review Conference and its Preparatory Committee. In that regard, the Arab States recall the detailed position contained in the working paper on the Middle East that was submitted to the third session of the Preparatory Committee.

14. The Arab States welcome General Assembly resolution 68/32, entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament", adopted on 5 December 2013. They also welcome the great interest generated by the meeting that was held on 26 September 2013 and recognize its contribution to furthering the objective of the total elimination of nuclear weapons.

15. The Arab States underline the importance of the Second Conference on the Humanitarian Impact of Nuclear Weapons, held in Nayarit, Mexico, on 13 and 14 February 2014, which heard that no party has the capacity to address the aftermath of deliberate or accidental nuclear explosions. The Arab States welcome the offer of Austria to host the next meeting on that topic. The Arab States affirm that the possession, use or threat of use of nuclear weapons is contrary to the principles and rules of international humanitarian law.

Recommendations

16. The Arab States therefore propose that the 2015 Review Conference should consider the following recommendations:

(a) It should be reaffirmed that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the non-proliferation regime, and action should be taken to ensure its universality and full application;

(b) Nuclear-weapon States should be encouraged to take genuine measures in order to complete rapidly the implementation of the agreed practical steps contained in the Final Document of the 2000 Review Conference, some of which were reaffirmed as action 5 in the section on disarmament of nuclear weapons in the Final Document of the 2010 Review Conference;

(c) Support for the early convening of the fourth special session of the General Assembly devoted to disarmament should be emphasized;

(d) The nuclear-weapon States should declare that they have ceased modernizing their nuclear arsenals or developing new types of nuclear weapons, until such time as their elimination in a transparent manner may be verified;

(e) The States parties and, in particular, the nuclear-weapon States, should make greater efforts to ensure the universality of the Treaty. Such efforts should include the performance of their undertakings under the Treaty and the outcomes of the Review Conferences, including the imposition of a comprehensive ban on the transfer of all nuclear materials and related technology to States non-parties to the Treaty until such time as they accede thereto. Any attempt to give the stamp of legitimacy to the nuclear status of States non-parties to the Treaty should be decisively rejected, given that it would hasten the complete breakdown of the non-proliferation regime;

(f) The importance of universalizing the Comprehensive Nuclear-Test-Ban Treaty and facilitating its entry into force should be reaffirmed. States that have yet

to ratify that Treaty should be encouraged to do so, particularly nuclear-weapon States, which bear fundamental responsibility in that regard;

(g) The Conference on Disarmament, as the sole multilateral negotiating body on disarmament, should be urged to devise, in accordance with the request of the first special session of the General Assembly devoted to disarmament, a comprehensive and balanced programme of work that will include the commencement of negotiations concerning:

- A comprehensive treaty that would prohibit the possession, development, production, acquisition, testing, stockpiling, transport and use or threat of use of nuclear weapons, and provide for their destruction. The Treaty would provide for nuclear disarmament through the gradual eradication of nuclear weapons, within a specified time frame, resulting in their complete, non-discriminatory and verifiable elimination;
- A ban on the use and future production of fissile materials for military purposes that also addresses the stockpiling of those materials by nuclear-weapon States, with a view to ensuring that non-proliferation issues do not overshadow efforts to promote disarmament;
- International arrangements to provide non-nuclear-weapon States parties with unconditional and legally enforceable security assurances that they will not be subject to the use or threat of use of nuclear weapons against them by the five nuclear Powers, until such time as nuclear weapons have been completely eliminated.